



**MICHIGAN**

To: Honorable Members of the Senate Commerce Committee

From: Charles Owens, State Director

Date: April 27, 2016

RE: Senate Bill 853 – Preemption of Local Ordinances on Containers

We are writing to ask your support for Senate Bill 853 that would put limits on the authority of local governments to ban or regulate plastic bags, cups or other disposable packaging and containers within their jurisdiction. This legislation is necessary because some local governments have moved in the direction of regulating these items, once again seeking to take on issues that are better left to the state and the federal government.

While the intentions may be honorable, placing these requirements on citizens and businesses in a local area encourages job providers to locate elsewhere or move out of that area when they have the opportunity. Often these kind of local efforts begin with a lofty goal and end with a fee and regulation scheme that becomes just another way for local governments to tax residents and businesses and provide government jobs for those who would enforce the ordinance. Small businesses are already overwhelmed with state and federal regulatory requirements as well as already existing local rules. Heaping yet another recordkeeping and compliance burden on them is not a wise economic development policy for local governments or the state. This approach to regulation that varies from one local jurisdiction to the next also creates an inefficient patchwork quilt of rules that is especially confusing to small business.

It is also apparent to most observers that local governments are already struggling to provide basic taxpayer services like police, fire and schools. It is inappropriate for them to expand into new areas of governance when they are already challenged managing what they have.

Again, we urge you to report out Senate Bill 853 for further action on the Senate floor.

Thank you for your support of small business!